

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY JIDDA PRIORITY

C O N F I D E N T I A L STATE 010385

E.O. 11652: GDS

TAGS: EAID, SA, US

SUBJECT: TECHNICAL COOPERATION AGREEMENT

REF: JIDDA 0254

1. YOUR BASIC NEGOTIATING AUTHORITY FOR THE TECHNICAL COOPERATION AGREEMENT IS CONTAINED IN STATE 179808 OF AUGUST 16, 1974. WE ARE PREPARED TO CONSIDER ANY CHANGES SAUDIS MAY WISH TO SUGGEST; THESE SHOULD BE SUBMITTED BY CABLE FOR REVIEW AND DECISION. DO YOU HAVE FURTHER SPECIFIC INFORMATION ON POSSIBLE SAUDI CHANGES WHICH MIGHT REQUIRE REVISED NEGOTIATING INSTRUCTIONS?

2. WE NOTE THAT SOLAIM HAS TWICE RAISED IMMUNITIES QUESTION. JIDDA 4934 OF AUGUST 26, 1974, SUGGESTED SAUDIS
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MIGHT LINK GIVING OF IMMUNITIES TO US PERSONNEL IN SAUDI

ARABIA TO A RECIPROCAL GIVING OF IMMUNITIES TO SEVERAL SAUDI REPRESENTATIVES IN THE US, INCLUDING BOTH THOSE WHO MIGHT BE ASSIGNED HERE IN CONNECTION WITH THE JOINT COMMISSION AND THE CHIEF OF THE EDUCATIONAL MISSION AT THE SAUDI CONSULATE GENERAL IN NEW YORK. JIDDA 0159 REPORTS SOLAIM NOW WONDERES WHETHER ANY NON-DIPLOMATIC U.S. PERSONNEL IN SAUDI ARABIA HAVE IMMUNITIES. WE ASSUME THE FORMER PROPOSAL IS MORIBUND; YOU SHOULD LEAVE IT UNDISTURBED

IN THAT STATE.

3. WITH REGARD TO SOLAIM'S LATTER INQUIRY, U.S. PERSONNEL IN SAUDI ARABIA WITH THE CORPS OF ENGINEERS; THE U.S. MILITARY TRAINING MISSION; AND THE U.S. GEOLOGICAL SURVEY BENEFIT FROM PRIVILEGES AND IMMUNITIES, THOUGH THESE VARY FROM CASE TO CASE. THUS THERE IS CLEAR PRECEDENT FOR THE SAUDIS GIVING PRIVILEGES AND IMMUNITIES TO NON-DIPLOMATIC PERSONNEL OF USG; ARTICLE 9 OF THE DRAFT TCA WHICH YOU HAVE SUBMITTED WAS DESIGNED TO LINK SUCH PRIVILEGES AND IMMUNITIES FOR JOINT COMMISSION PERSONNEL TO THEIR RANK, AND THUS TO APPROXIMATE THE SITUATION WHICH APPLIES TO EMBASSY PERSONNEL. WE THINK THIS IS A REASONABLE APPROACH, ESPECIALLY SINCE ANY JOINT COMMISSION PERSONNEL IN SAUDI ARABIA WILL FUNCTION UNDER THE OVERALL DIRECTION OF THE AMBASSADOR. IN DISCUSSING THIS QUESTION WITH SOLAIM, YOU SHOULD FURTHER STRESS THAT, AS A PRACTICAL MATTER, THE PRESENCE OR ABSENCE OF APPROPRIATE PRIVILEGES AND IMMUNITIES WILL BE A KEY FACTOR IN OUR ABILITY TO RECRUIT AND SEND TO SAUDI ARABIA THE KIND OF TOP-QUALITY INDIVIDUALS WHICH WE AND THE SAUDIS BOTH WANT TO HAVE ASSOCIATED WITH THE JOINT COMMISSION EFFORT.

4. LEWIS BOWDEN, ASSISTANT SECRETARY PARSKY'S DEPUTY FOR SAUDI ARABIA, PLANS VISIT SAUDI ARABIA FEB. 5-6. IF NEGOTIATIONS WITH SAUDIS ALLOW, WE HOPE THAT FORMAL SIGNING OF TCA BY AMBASSADOR COULD BE SCHEDULED TO COINCIDE WITH BOWDEN VISIT. THIS WOULD CLEARLY CONNECT TCA WITH JOINT COMMISSION ACTIVITIES. KISSINGER

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